

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q51805

Masahide MOHRI, et al.

Appln. No.: 09/891,655

Group Art Unit: 1754

Confirmation No.: 4405

Examiner: Steven J. Bos

Filed: June 27, 2001

For: METAL OXIDE POWDER AND METHOD FOR THE PRODUCTION OF THE SAME

**TERMINAL DISCLAIMER**

**FILED**  
AUG - 2 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, SUMITOMO CHEMICAL COMPANY, LIMITED, represents that the petitioner, SUMITOMO CHEMICAL COMPANY, LIMITED is the owner of the entire right, title and interest of U.S. Application No. 08/416,738 filed on June 9, 1995 for METAL OXIDE POWDER AND METHOD FOR THE PRODUCTION OF THE SAME, by virtue of an Assignment from all of the inventors thereof executed on April 12, 1995, at Reel 007697, Frame 0936, now issued as U.S. Patent 6,303,091; U.S. Application No. 08/411,636 filed on May 15, 1995 for COMPLEX METAL OXIDE POWDER AND METHOD FOR THE PRODUCTION OF THE SAME, by virtue of an Assignment from all of the inventors thereof executed on April 12, 1995, at Reel 007615, Frame 0085, now issued as U.S. Patent 5,688,480; U.S. Application No. 08/670,536 filed on June 27, 1996 for METHOD FOR PRODUCING METAL OXIDE POWDERS, by virtue of an Assignment from all of the

Terminal Disclaimer

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inventors thereof executed on August 21, 1996, at Reel 008175, Frame 0327, now issued as U.S. Patent 5,840,267; U.S. Application No. 08/687,970 filed on July 29, 1996 for METHOD FOR PRODUCING IRON-CONTAINING COMPLEX OXIDE POWDERS, by virtue of an Assignment from all of the inventors thereof executed on September 25, 1996, at Reel 008199, Frame 0880, now issued as U.S. Patent 5,736,111; and U.S. Application No. 08/565,104 filed on November 30, 1995 for METHOD FOR PRODUCING DOUBLE METAL OXIDE POWDER, by virtue of an Assignment from all of the inventors thereof executed on December 20, 1995, at Reel 007996, Frame 0244, now issued as U.S. Patent 5,846,505, as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/891,655 by virtue of an Assignment from all of the inventors thereof executed on April 12, 1995, recorded on June 9, 1995, at Reel 007697, Frame 0936.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/891,655 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Nos. 6,303,091, 5,688,480, 5,840,267, 5,736,111 and 5,846,505, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/891,655 shall be enforceable only for and during such period that the legal title to U.S. Patent Nos. 6,303,091, 5,688,480, 5,840,267, 5,736,111 and 5,846,505, and shall be the same as the legal title to said patent issuing from the above-

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captioned U.S. Application No. 09/891,655, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/891,655 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/891,655 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Nos. 6,303,091, 5,688,480, 5,840,267, 5,736,111 and 5,846,505, in the event that U.S. Patent Nos. 6,303,091, 5,688,480, 5,840,267, 5,736,111 and 5,846,505 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

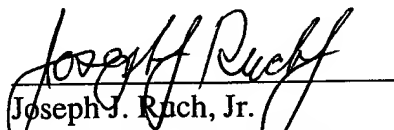
Respectfully submitted,

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WASHINGTON OFFICE

**23373**

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Date: August 2, 2004